

JONATHAN O. PENA, ESQ.
CA Bar ID No. 278044
Peña & Bromberg, PLC
2440 Tulare St., Suite 320
Fresno, CA 93721
Telephone: 559-412-5390
Fax: 866-282-6709
info@jonathanpena.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Kennedy Xiong,)	Case No. 1:21-cv-01782-EPG
)	
Plaintiff,)	STIPULATION AND ORDER FOR
)	EXTENSION OF TIME
vs.)	
)	
Kilolo Kijakazi, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from August 1, 2022 to September 30, 2022, for Plaintiff to serve on defendant with Plaintiff's Motion for Summary Judgment. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. As Counsel has reported previously in many other cases in this district, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022. Although it has been over three months, Counsel

continues to work short periods throughout the day with significant breaks throughout. Counsel continues to attend physical therapy four days a week.

In the months of May through July 21, 2022, Counsel has received at least 50 Certified Administrative Records from the Eastern District, the majority of which were filed in June 2022. Additionally, for the weeks of August 1, 2022, Counsel for Plaintiff has 13 merit briefs, and several letter briefs and reply briefs. Additional time is needed to thoroughly brief this matter for the Court.

Defendant does not oppose the requested extension. Counsel apologizes to the Defendant and Court for any inconvenience this may cause.

Respectfully submitted,

Dated: July 22, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

By: /s/ Jonathan Omar Pena
JONATHAN OMAR PENA
Attorneys for Plaintiff

Dated: July 22, 2022 PHILLIP A. TALBERT
United States Attorney
PETER K. THOMPSON
Acting Regional Chief Counsel, Region IX
Social Security Administration

By: */s/ Caspar Chan
Caspar Chan
Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on July 22, 2022)

ORDER

Pursuant to the parties' stipulation (ECF No. 12), IT IS HEREBY ORDERED that Plaintiff shall file an Opening Brief by September 30, 2022. All remaining dates in the Scheduling Order (ECF No. 5) are extended accordingly.

IT IS SO ORDERED.

Dated: **July 25, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE